

**IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL**

Criminal Appeal No. 161 of 2001
(Old No. 480 of 1986)

Umed Lal aged 48 years
S/o Shri Laloo Lal
R/o Sahgaran Patti Kaliti
Tehsil Deelihat
District Pithoragarh

... Appellant

Versus

State of U.P.

... Opposite party

Hon'ble B.C.Kandpal, J

This case has been transferred from Allahabad High Court. After the receipt of the record notices were issued to the sole appellant, namely, Umed Lal.

When the matter was taken-up for final hearing, the learned counsel for the appellant has informed the Court that the sole appellant has died. Therefore, the report from the C.J.M. concerned pertaining to the death of the appellant was called for.

The C.J.M. Pithoragarh submitted the report to this Court that the sole appellant Umed Singh has died on 14.04.2004. The letter of the C.J.M. Pithoragarh intimating the death of the appellant is accompanied with the report of Tehsildar and the Patwari concerned and all these report shows that the sole appellant Umed Singh has died on 14.04.2004.

Keeping in view the death report of the sole appellant Umed Singh, it is quite clear that the sole appellant has died.

Under the aforesaid circumstance, the appeal abates and is dismissed accordingly.

(B.C. Kandpal, J.)

29.09.2005
ASWAL